

REMARKS

Claims 1-4, 6-8, and 18-20 are pending in this application. New claims 22-28 have been added. Claims 9-17 and 21 has been canceled.

- Specification is objected to for adding new matter.
- Specification stands objected to due to informalities.
- Claim 9 stands objected to as being in improper dependent form.
- Claim 7 stands rejected under 35 U.S.C. § 112 as failing to comply with the written description requirement.
- Claims 7 and 8 stand rejected under 35 U.S.C. § 112 as being indefinite.
- Claims 1-3, 6, 7, and 9 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Xu et al (U.S. Patent Application Publication No. 2002/0168232) (hereafter, "Xu").
- Claim 8 stands rejected under 35 U.S.C. § 103 as being anticipated over Xu.

I. Objections to the specification

The specification has been amended to address the issues raised by the examiner.

II. Objection to Claim 9

Claim 9 has been canceled.

III. Rejection of Claim 7 under 35 U.S.C. §112 (¶1)

Claim 7 has been amended to address the § 112 (¶1) rejection.

IV. Rejection of Claims 7 and 8 under 35 U.S.C. § 112 (¶2)

Claims 7 and 8 have been amended to address the § 112 (¶2) rejection.

V. Rejections under 35 U.S.C. § 102(a) and § 103

Independent claims 1 and 18 have been amended to note that the claimed pile is engaged with a slab. Based on discussions with the Examiner, applicant believes the claims are not anticipated or obvious in view of Xu. New claims 22-28 include the limitation that the pile is engaged with a building. Because Xu is not engaged to a building Applicant believes claims 22-28 are not anticipated or obvious in view of Xu.

VI. Interview Summary

Gay Ann Spahn (Patent Examiner) discussed the rejections in view of Xu on March 23, 2007. Per the discussion, the claims have been amended to include a limitation related to a concrete slab.

VII. Conclusion

In view of the above amendments Applicant believes the pending application is in condition for allowance.

Please charge our Deposit Account number 06-2375 in the amount of \$225.00 covering the fee for a Petition for Extension of Time within two months. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account 06-2375, under Order No. P02803US0, from which the undersigned is authorized to draw.

Dated: April 3, 2007

Respectfully submitted,

By 

Michael S. McCoy

Registration No.: 46,913

FULBRIGHT & JAWORSKI L.L.P.

Fulbright Tower

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5151

(713) 651-5246 (Fax)

Attorney for Applicant